

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 97207000 MODIFICATION NUMBER: 0 PROGRAM CODE: CE		DATE OF AWARD
		TYPE OF ACTION New		MAILING DATE
		PAYMENT METHOD: Advance		ACH# 20079
		RECIPIENT TYPE: Not for Profit		
RECIPIENT: Hudson River Foundation 17 Battery Place-Suite 915 New York, NY 10004 EIN: 13-3089956		PAYEE: Hudson River Foundation 17 Battery Place-Suite 915 New York, NY 10004		
PROJECT MANAGER Robert Pirani 17 Battery Place-Suite 915 New York, NY 10004 E-Mail: Rpb@HudsonRiver.org Phone: 212-483-7667		EPA PROJECT OFFICER Nesmarie Negron 290 Broadway, CWD/WMB New York, NY 10007-1866 E-Mail: Negron.Nesmarie@epa.gov Phone: 212-637-3883		EPA GRANT SPECIALIST Michele Junker Grants and Audit Mgt Branch, OPM/GAMB E-Mail: Junker.Michele@epa.gov Phone: 212-637-3418
PROJECT TITLE AND DESCRIPTION NY/NJ Harbor Estuary Program This agreement supports the recipient's efforts to administer the New York/New Jersey Harbor Estuary Program. Specifically, it will conduct planning and outreach, oversee habitat restoration efforts; administer small grant programs; support a program website; support water and sediment monitoring; and support a climate change vulnerability project. This work will help protect and restore the environmental quality of the estuary and will help facilitate its use for recreational fishing and commercial activities.				
BUDGET PERIOD 12/01/2013 - 09/30/2014		PROJECT PERIOD 12/01/2013 - 09/30/2014		TOTAL BUDGET PERIOD COST \$1,024,000.00
				TOTAL PROJECT PERIOD COST \$1,024,000.00
NOTICE OF AWARD				
Based on your Application dated 02/28/2014 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$512,000. EPA agrees to cost-share 50.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$512,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866		ORGANIZATION / ADDRESS U.S. EPA, Region 2 Clean Water Division 290 Broadway New York, NY 10007-1866		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official -				DATE

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 512,000	\$ 512,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 512,000	\$ 512,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 1,024,000	\$ 1,024,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.456 - National Estuary Program	Clean Water Act: Sec. 320	40 CFR PTS 30 & 35 SUBPT P

[illegible]

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$169,154
2. Fringe Benefits	\$53,639
3. Travel	\$7,500
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$673,307
7. Construction	\$0
8. Other	\$18,000
9. Total Direct Charges	\$921,600
10. Indirect Costs: % Base	\$102,400
11. Total (Share: Recipient 50.00 % Federal 50.00 %.)	\$1,024,000
12. Total Approved Assistance Amount	\$512,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$512,000
15. Total EPA Amount Awarded To Date	\$512,000

Administrative Conditions

GENERAL TERMS AND CONDITIONS

The recipient agrees to comply with the applicable EPA general terms and conditions available at: http://www.epa.gov/ogd/tc_jan_2014.pdf. These terms and conditions are in addition to the assurances and certifications made as part of the award and the terms, conditions or restrictions cited below.

The EPA repository for the general terms and conditions by year can be found at: <http://www.epa.gov/ogd/tc.htm>

GRANT-SPECIFIC ADMINISTRATIVE CONDITIONS

A. REVISED ADMINISTRATIVE AND FINANCIAL PROCEDURES

Until the recipient receives notice from EPA that it has successfully completed the pre-award certification process it may not draw down funds associated with this agreement. Costs may be incurred but not drawn down. Within 45 days of the date of this award, HRF must submit to the EPA Grants Specialist revised Administrative and Financial policies and procedures. The revised procedures must describe the actual processes, including roles; responsibilities and; time frames, through which the HRF manages its funds.

Until the recipient receives notice from EPA that it has successfully completed the pre-award certification process it may not draw down funds associated with this agreement. Costs may be incurred but not drawn down. Within 45 days of the date of this award HRF must submit to the EPA Grants Specialist revised Administrative and Financial policies and procedures. The revised procedures must describe the actual processes including: roles; responsibilities; and time frames through which the HRF manages its funds.

B. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES

GENERAL COMPLIANCE, 40 CFR, Part 33

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements as described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

Accepting the Fair Share Objectives/Goals of Another Recipient

The dollar amount of this assistance agreement, or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more. The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the **New York State Department of Environmental Conservation** as follows:

Construction - Minority Business Enterprise (MBE) Participation Goals:

New York City	17%
Downstate *	10%
Upstate	9%

Construction - Women Business Enterprise (WBE) Participation Goals:

New York City	8%
Downstate *	6%
Upstate	5%

Non-Construction Minority and Women Business Enterprise (MBE/WBE) Participation Goals:
(For all other professional and contractual services; supplies and equipment)

Combined MBE/WBE statewide	10%
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* The counties included in the downstate area are as follows: Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester.

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as **New York State Department of Environmental Conservation**.

Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- (e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- (f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E

MBE/WBE reporting is limited to annual reports and only required for assistance agreements where one or more the following conditions are met:

- (a) there are any funds budgeted in the contractual, equipment or construction lines of the award;
- (b) \$3,000 or more is included for supplies; or
- (c) there are funds budgeted for subawards or loans in which the expected budget(s) meet the

conditions as described in items (a) and (b).

This award meets one or more of the conditions as described above, therefore, the recipient agrees to complete and submit a “MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements” report (EPA Form 5700-52A) on an annual basis.

When completing the annual report, recipients are instructed to check the box titled “annual” in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the “last report” of the project in section 1B of the form. Annual reports are due by October 30th of each year. Final reports are due within 90 days after the end of the project period, whichever comes first.

The reporting requirement is based on planned procurements. Recipients with funds budgeted for non-supply procurement and/or \$3,000 or more in supplies are required to report annually whether the planned procurements take place during the reporting period or not. If no procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to the Region 2 Grants Mailbox (Region2_GrantApplicationBox@epa.gov) with a courtesy copy to the Grants Specialist and the Region 2 DBE Coordinator, Michele Junker (Junker.Michele@epa.gov). The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at http://www.epa.gov/osbp/dbe_reporting.htm

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D.

CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

C. ADVANCE METHOD OF PAYMENT

In accordance with EPA regulations, the recipient is authorized to receive advance payments under this agreement, provided that the recipient takes action to minimize the time elapsing between the transfer of funds from EPA and the disbursement of those funds. The recipient shall request Federal payments by completing the EPA Payment Requests Form (EPA Form 190-F-04-001) and either emailing or faxing it to the Las Vegas Finance Center at LVFC-grants@epa.gov or 702-798-2423. This form can be found at www.epa.gov/ogd/forms/forms.htm. All email attachments must be sent in pdf format.

D. INTERIM FEDERAL FINANCIAL REPORT AND CLOSE-OUT INSTRUCTIONS

1. Interim Federal Financial Reports (FFRs)

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit an interim annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the anniversary of the start date of the agreement. The FFR must be faxed to the Las Vegas Finance Office at 702-798-2423, emailed to LVFC-grants@epa.gov, or sent to the address below. A courtesy copy of the interim FFR can be submitted to the Grants and Audit Management Branch using one of the following options: email to Region2_GrantApplicationBox@epa.gov, fax to 212-637-3518 or sent to us in the mail at U.S. EPA - Region 2, 290 Broadway, 27th Floor, New York, NY 10007. All email attachments must be sent in pdf format. Documents emailed to us in any other format cannot and will not be accepted.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

2. Closeout

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FFR. At that time, the recipient must submit the following forms/reports to the EPA Region 2 Grants and Audit Management Branch, if applicable:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

E. EXTENSION OF PROJECT/BUDGET PERIOD EXPIRATION DATE

In accordance with 40 C.F.R. §30.25(f)(2), the recipient is authorized, without EPA's approval, to extend the project and budget period expiration date(s) for up to 12 months as long as the extension:

- is not prohibited by the terms and conditions of the award;
- does not require additional Federal funds;
- does not involve any change in the approved objective or scope of the project;
- does not extend the project merely for the purpose of using an unobligated balance; or
- is not precluded by a statute or regulation, or is authorized solely on the basis of terms set forth in the statutes.

If the recipient chooses this one-time extension, the recipient must submit a written justification with the revised expiration date and interim FFR (SF-425) to EPA at least 10 days before the expiration date of this award document. The extension request must be in writing and should be submitted to the EPA, Grants and Audit Management Branch using one of the following options: email to Region2_GrantApplicationBox@epa.gov, fax to 212-637-3518 or sent to us in the mail at U.S. EPA - Region 2, 290 Broadway, 27th Floor, New York, NY 10007. The FFR must be emailed or faxed to the Las Vegas Finance Office at LVFC-grants@epa.gov or 702-798-2423 or sent to the address below. To expedite processing of your request, please submit a courtesy copy of the interim FFR to the Grants and Audit Management Branch along with your extension request. All email attachments must be sent in pdf format. Documents emailed to us in any other format cannot and will not be accepted.

If an extension is not necessary, the recipient shall submit a final FFR to the EPA, Las Vegas Finance Center within 90 days after the project period expiration date.

US EPA, Las Vegas Finance Center
4220 S. Maryland Pkwy, Bld C, Rm 503
Las Vegas, NV 89119

or by email: LVFC-grants@epa.gov or Fax to: 702-798-2423. All email attachments must be sent in pdf format.

F. INDIRECT COSTS

If the recipient has submitted an indirect cost rate proposal to the cognizant Federal agency but does not yet have an approved rate, it must submit a copy to the EPA Regional Office of the final or provisional Indirect Cost Negotiation Agreement that covers the agreement's budget period before it may charge indirect costs against this Assistance Agreement. If the recipient's negotiated rate does not extend through the life of the Assistance Agreement, additional indirect cost rate proposal(s) must be submitted until the full life of the Assistance Agreement is covered by negotiated indirect cost rates. The recipient **will not charge nor claim for reimbursement any indirect costs that are not covered by a negotiated indirect cost rate.**

G. MANDATORY TRAINING FOR NON-PROFIT RECIPIENTS

Recipient acknowledges that two employees of this recipient organization must complete the mandatory on-line training, "EPA Grant Management Training for Non-Profit Applicants and Recipients." One person must be the project manager, or equivalent, for this assistance agreement. The other individual must be the person authorized to draw down funds for this assistance agreement. Both employees must complete the training prior to the receipt of any grant funds. The recipient may access the course through the internet at:

http://www.epa.gov/ogd/training/recip_train.htm

At the end of the course the recipient must sign and return the certificate of completion to the appropriate grants office. EPA will not release funds to the recipient until the required training is completed. Certifications must be maintained throughout the life of the agreement. The training must be completed every three (3) years by both employees and when there are personnel changes.

H. PRE-AWARD COSTS

In accordance with 40 C.F.R. §31.23 or §30.25(f)(1), as applicable, the grantee may charge pre-award costs (both Federal and non-Federal matching shares) incurred from (December 1, 2013) to the actual award date provided that such costs were contained in the approved application and all costs are incurred within the approved budget period.

Programmatic Conditions

GRANT-SPECIFIC PROGRAMMATIC CONDITIONS

A. FOOD AND REFRESHMENTS

Unless the event(s) and all of its components (i.e., receptions, banquets and other activities that take place after normal business hours) are described in the approved workplan, the recipient agrees to obtain prior approval from EPA for the use of grant funds for light refreshments and/or meals served at meetings, conferences, training workshops, and outreach activities (events). The recipient must send requests for approval to the EPA Project Officer and include:

- (1) An estimated budget and description for the light refreshments, meals, and/or beverages to be served at the event(s);
- (2) A description of the purpose, agenda, location, length and timing for the event.
- (3) An estimated number of participants in the event and a description of their roles.

Recipients may address questions about whether costs for light refreshments, and meals for events are allowable to the recipient's EPA Project Officer. However, the Agency Award Official or Grant Management Officer will make final determinations on allowability. Agency policy prohibits the use of EPA funds for receptions, banquets and similar activities that take place after normal business hours unless the recipient has provided a justification that has been expressly approved by EPA's Award Official or Grants Management Officer.

Note: U.S. General Services Administration regulations define light refreshments for morning, afternoon or evening breaks to include, but not be limited to, coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, or muffins. (41 CFR 301-74.11)

B. PROHIBITION OF FILL ACTIVITIES

No funding under this agreement shall be used to directly or indirectly support the placement of fill, pilings, or platforms in open waters, near shore waters, or wetlands to create artificial islands or serve as infrastructure for commercial development or new land for purposes other than habitat restoration.

C. QUALITY ASSURANCE MANAGEMENT PLAN / PROJECT PLAN

Grantees implementing environmental projects that include: 1) direct measurement, sampling or observation activities, 2) environmental modeling, 3) use of existing data, 4) use of survey results, or 5) calculation of environmental outcomes must prepare and implement a Quality Assurance Project Plan (QAPP). The grantee shall submit to the EPA Project Officer (PO) an approvable QAPP within 45 days of receipt of this agreement. The PO will review the QAPP to insure that it meets programmatic needs, is consistent with the approved workplan and includes all of the required QAPP elements. Once approved by the EPA PO, the QAPP is forwarded to the EPA QA staff for review and approval. No data collection/use activities may occur until the QAPP has been reviewed and approved by EPA

Sub-Grantees conducting projects/environmental programs that include direct measurements or data generation, environmental modeling, compiling of data from literature or electronic media, and data supporting design, construction, and operation of environmental technology must develop a Quality

Assurance Project Plan (QAPP) and submit it for approval, in accordance with the Quality Management Plan (QMP) agreed to by EPA and HRF. The recipient shall ensure that Sub-Grantees submit to the EPA Project Officer (PO) an approvable QAPP and ensure that no sampling/monitoring activities will occur until the QAPP has been officially approved by EPA.

D. PRE-AWARD COSTS

In accordance with 40 C.F.R. §30.28, the recipient is authorized to charge pre-award costs to the agreement from (December 1, 2013) the beginning of the budget period provided that such costs were contained in the approved application.

E. PAPERWORK REDUCTION ACT

EPA and the recipient agree to comply with the requirements of the Paperwork Reduction Act in completing the project. Because the scope of work includes a survey, a questionnaire or similar information-gathering activity, the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), requires EPA to obtain Office of Management and Budget (OMB) clearance prior to the recipient's collection of information by means of identical questions posed to 10 or more persons.

The recipient will provide to the EPA Project Officer the following information: (1) description of the information to be collected; (2) explanation of the need for the information; (3) to whom the survey is being directed.

F. EPA DISCLAIMER

The following disclaimer must accompany all work products disseminated since they were not developed by EPA and may not represent the views of the Agency:

"Although the information in this document has been funded wholly or in part by the United States Environmental Protection Agency under assistance agreement CE97207000-0 to Hudson River Foundation, it has not undergone the Agency's publications review process and, therefore, may not necessarily reflect the views of the Agency and no official endorsement should be inferred".

G. SUFFICIENT PROGRESS

EPA may terminate the assistance agreement for failure of the recipient to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the workplan in conjunction with the milestone schedule, the time remaining for performance within the project period, and/or the availability of funds necessary to complete the project.

H. PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORT

Performance Reports

The recipient shall submit, to the EPA Project Officer, annual performance reports by December 31. In accordance with 40 CFR §30.51(d), the recipient agrees to include in performance reports submitted under this agreement brief information on each of the following areas:

- 1) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement work plan;
- 2) reasons why anticipated outputs/outcomes were not met;
- 3) other pertinent information, including, when appropriate, analysis and explanation of cost overruns or high unit costs.

In accordance with 40 C.F.R. § 30.51 (f), the recipient agrees that it will notify EPA of problems, delays, or adverse conditions which materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

Final Performance Report

The recipient agrees to submit two copies of the Final Performance Report to the EPA Project Officer. The Final Project Report is due within 90 days after the end of the budget/project period. The report will include any agreed-upon work-product(s) resulting from the project and the following:

- 1) an abstract or overview of the project including completed workplan activities;
- 2) a comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement work plan;
- 3) reasons why anticipated outputs/outcomes were not met;
- 4) other pertinent information, including, when appropriate, analysis and explanation of cost overruns or high unit costs.
- 5) the methods to be used to effectively disseminate project information and/or continue the benefits of this project (although the project itself may not be continuing);
- 6) materials generated in connection with project activities (e.g., workshop announcements, newspaper/newsletter announcements, articles or releases, press packets, pamphlets, etc.).

I. RECYCLING AND WASTE PREVENTION

In accordance with the policies set forth in EPA Order 1000.25 and Executive Order 13423, Strengthening Federal Environmental, Energy and Transportation Management (January 24, 2007) and or 40 CFR 30.16, the recipient agrees to use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.

In accordance with 40 CFR 30.16, State and local institutions of higher education, hospitals, and non-profit organizations that receive direct Federal funds shall give preference in their procurement programs funded with Federal funds to the purchase of recycled products pursuant to EPA's guidelines.

J. EPA INVOLVEMENT WITH PROJECT

EPA will be substantially involved during the performance of the activities of this project since Region 2 representatives sit on, and take an active role in, the several advisory committees and work groups that help guide the grantee, Hudson River Foundation, in the performance of its tasks.

K. COMPETENCY OF ORGANIZATIONS GENERATING ENVIRONMENTAL MEASUREMENT DATA

In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at http://www.epa.gov/fem/lab_comp.htm or a copy may also be requested by contacting the EPA project officer for this award.